

REMARKS

Claims 2-3, 5, 11-13 and 17-19 are pending. By this Amendment, Claims 2 and 13 are amended, Claims 14-16 are cancelled, and Claims 18-19 are added. Because support for the amendments and additional can be found in the originally filed application such as, for example, [0030], [0043] and [0044], and Figures 2-3 and 9a-9c. Applicants respectfully submit that no new matter is presented herein.

Telephonic Interview

Applicants respectfully appreciate and acknowledge the courtesies extended to Applicants' representative by Examiner dove during the telephonic interview conducted on January 24, 2007. The points discussed during the interview and the corresponding proposed claim amendments have been incorporated herein.

Claim Objections

Claims 14-16 are objected to under 37 C.F.R. 1.75(c) for allegedly being of improper dependent form for failure to further limit the subject matter of a previous claim. The Office Action required the Applicants to cancel the claims or amend the claims to place the claims in proper dependent form, or rewrite the claims in independent form. Applicants have cancelled Claims 14-16 as required by the Office Action.

Applicants respectfully request withdrawal of the objection.

Claim Rejections – 35 U.S.C. §103

Claims 2-3, 5 and 11-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,499,663 to Zwick et al. (Zwick). Applicants respectfully traverse the rejection for the following reason(s).

Claims 2 and 13 now recite the fuel gas passage and the oxidizing gas passage each have an entrance at a first common plane, wherein the entrance of the fuel gas passage is separate and distinct from the entrance of the oxidizing gas passage; the fuel gas passage and the oxidizing gas passage each having an exit at a second common plane, wherein the exit of the fuel gas passage is separate and distinct from the exit of the oxidizing gas passage, wherein the first and second common planes extend orthogonally relative to the axial direction of said tubular casing.

Zwick does not teach or suggest such a feature. In particular, as Applicants noted during the telephonic interview, Zwick discloses an inlet manifold 16 (fuel) and an inlet manifold 22 (oxidant) having separate and distinct entrances at a common plane, which would be the plane extending along the bottom of the housing 12. However, the outlet manifold 18 for both the fuel and oxidant are shared (i.e., each of the fuel and oxidant manifolds do not have separate and distinct exits) as the outlet manifold 18 is connected to the inlet manifold 16 and the inlet manifold 22. Moreover, if the exit plane of the fuel passageways 20 and the exit plane of the oxidant passageway 26 were considered to be a second common plane, then Zwick could not teach or suggest the common plane of the entrances (along bottom surface of housing 12) and the exit plane of the fuel and oxidant passageways cannot be considered to extend orthogonally relative to the axial direction of the housing 12 since one of the two planes would have to be parallel relative thereto instead orthogonal (perpendicular) relative thereto.

To establish *prima facie* obviousness, each and every feature recited by a rejected claim must be taught or at least suggested by the applied art of record. See M.P.E.P. §2143.03. As explained above and during the telephonic interview, Zwick

does not disclose or suggest each and every feature recited by Claims 2 and 13. Therefore, Applicants respectfully submit Zwick does not anticipate, or render obvious, the invention recited by Claims 2 and 13. As such, Applicants respectfully submit Claims 2 and 13 should be deemed allowable over Zwick.

Applicants note Claims 3, 5, 11-12 and 17-19 depend from Claims 2 and 13. It is respectfully submitted that these dependent claims be deemed allowable at least for the same reasons Claims 2 and 13 are allowable, as well as for the additional subject matter recited therein.

Applicants respectfully request withdrawal of the rejection.

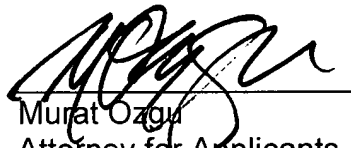
Conclusion

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding objection and rejection, allowance of Claims 2-3, 5, 11-13 and 17-19, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 101213.00009.**

Respectfully submitted,
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Enclosure: Petition for Extension of time (1 month)

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